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NEWS RELEASE

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WITTIG SENTENCED FOR CONSPIRACY, MAKING FALSE BANK ENTRIES, AND MONEY LAUNDERING

KANSAS CITY, Kan. – United States Attorney Eric Melgren announced that **David C. Wittig**, 48, Topeka, Kansas, was sentenced today by U.S. District Judge Julie A. Robinson to **fifty-one months in federal prison, without parole, to be followed by three years of supervised release, and ordered to pay a \$1,000,000 fine. Wittig will be allowed to self-surrender to the Bureau of Prisons. The Court took under advisement Wittig's request to remain on bail pending appeal.**

Melgren said that **Clinton Odell Weidner, II**, 50, Topeka, Kansas, was sentenced on February 26, 2004, by U.S. District Judge Julie A. Robinson to **seventy-eight months in federal prison, without parole, to be followed by three years of supervised release. Weidner was further ordered to forfeit his interest in the real estate development in Scottsdale, Arizona. Bail was denied pending appeal but Weidner will be allowed to self-surrender to the Bureau of Prisons.**

Melgren said that **Wittig** was found guilty of one count of conspiracy, four counts of making false bank entries, and one count of money laundering on July 14, 2003, following a ten day jury trial. **Weidner** was found guilty of one count of conspiracy, two counts of making false bank entries, one count of money laundering, and one count of forfeiture of \$1,500,000. **Weidner** entered a guilty plea on June 30, 2003, to two counts of making false bank entries.

Melgren stated that according to court testimony from April 2001 through March 16, 2002, Weidner, while President, Chief Executive Officer and General Counsel of Capital City Bank, Topeka, Kansas, and loan officer to David C. Wittig, then Chairman of the Board, President and Chief Executive Officer of Westar, conspired to conceal the fact that an extension of credit in the amount of \$1,500,000 made to Wittig by Weidner was used by

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Weidner to make a down payment on the Eagle Ridge project, a real estate development in Scottsdale, Arizona.

On April 3, 2001, Weidner brought the Eagle Ridge project investment opportunity to Wittig. Wittig declined the opportunity but agreed to loan Weidner the \$1,500,000 if Weidner increased Wittig's line of credit at Capital City Bank by \$1,500,000. On April 30, 2001, Weidner prepared a loan proposal to increase Wittig's line of credit at Capital City Bank by \$1,500,000 stating in the loan proposal that the line of credit would be used by Wittig to purchase stock, make business investments, and complete the renovation of the Landon mansion. On April 30, 2001, Weidner transferred \$1,500,000 from Wittig's account at Capital City Bank to provide the down payment for the Eagle Ridge project. On May 1, 2001, Weidner provided Wittig a promissory note in the amount of \$1,500,000.

According to court testimony, on April 30, 2001, May 14, 2001, May 31, 2001, and January 11, 2002, Weidner and Wittig made false statements to Capital City Bank to conceal the fact that Weidner had borrowed \$1,500,000 from Wittig.

Melgren commended the excellent work of the FBI in this investigation and Assistant U.S. Attorney Rich Hathaway in this prosecution.

"Maintaining public confidence in our financial institutions is of critical importance," said U.S. Attorney Melgren. "The message is clear, this applies to everyone. The U.S. Attorney's office, with the assistance of investigative agencies, will aggressively investigate and prosecute those who attempt to mislead or deceive bank officers or regulators."